

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF BELLSOUTH)	
TELECOMMUNICATIONS, INC.)	
PETITION FOR A DECLARATORY ORDER)	CASE NO.
REGARDING INTERCONNECTION WITH)	2015-00227
CENTRAL KENTUCKY NETWORK FOR)	
911/E911 SERVICE TO PUBLIC SAFETY)	
ANSWERING POINTS)	

ORDER

On July 8, 2015, pursuant to 807 KAR 5:001, Section 19, BellSouth Telecommunications, LLC d/b/a AT&T Kentucky (“AT&T Kentucky”) filed a petition for a declaratory order to determine the obligations of AT&T Kentucky and Central Kentucky 911 Network (“CKN”) regarding interconnection and routing of traffic for the provision of 911 service to Public Safety Answering Points (“PSAP”). AT&T Kentucky requested that the Commission declare that CKN: 1) is a utility as defined in KRS 278.010(3)(e); 2) must obtain a certificate of public convenience and necessity pursuant to KRS 278.020; and 3) must request and enter into an interconnection agreement with AT&T Kentucky under 47 U.S.C. § 252. By Order entered on July 31, 2015, the Commission required AT&T Kentucky to serve a copy of the petition on CKN, as well as on the Kentucky Commercial Mobile Radio Services (“CMRS”) Board.

Several entities sought to intervene in the proceeding. The Lexington-Fayette County Urban Government (“LFCUG”) (on behalf of CKN), Marion County, the Jessamine County Fiscal Court, London-Laurel County Communications Center, Cincinnati Bell Telephone Company LLC, KIT-COM, Inc., the CMRS Board, Garrard

County, and the Attorney General of the Commonwealth of Kentucky requested and were granted intervention.

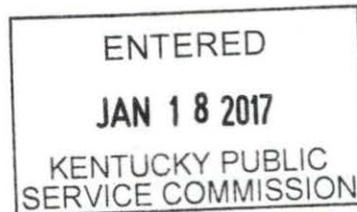
On August 17, 2016, the Commission issued an Order, at the request of AT&T Kentucky, holding this case in abeyance for 120 days. The Order also required the periodic filing of status reports. On December 14, 2016, AT&T Kentucky filed with the Commission its 120-day status report. In the report, AT&T Kentucky stated that it has been operating under agreed-upon 911 arrangements with several of the intervenors to this case for several months and that the transition proceeded smoothly without issue. AT&T Kentucky stated that it would be willing to work with other CKN members to transition to other similar arrangements. AT&T Kentucky further stated that it thought dismissal of the proceeding without prejudice would be appropriate and that it would work with the other parties to determine their willingness to submit a joint or unopposed motion to dismiss.

This Commission instituted this case on the petition of AT&T Kentucky for a declaratory order. Although AT&T Kentucky has not specifically moved the Commission to dismiss the proceeding now that AT&T Kentucky has informed the Commission that it no longer sees a need for the declaratory order, the Commission would be inclined to dismiss this proceeding without prejudice. Several entities, however, were granted intervenor status in this case, and while none have filed a response or objected to AT&T Kentucky's 120-day status report, we find that we should not dismiss this proceeding without providing the intervenors an opportunity to respond to AT&T Kentucky's declaration that it would be appropriate to dismiss the proceeding without prejudice.

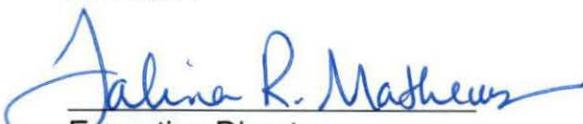
IT IS HEREBY ORDERED that:

1. Within 20 days of the date of this Order, any party may file an objection to the dismissal of this proceeding without prejudice stating with specificity the factual and legal basis for the objection; and
2. If no objection is received within the appointed time, this case will be dismissed without prejudice and removed from the Commission's docket.

By the Commission



ATTEST:


Executive Director

Case No. 2015-00227

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